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THE
HISTORY OF SUFFRAGE IN
RHODE ISLAND.

By Noah J. Arnold.

N writing history or on historical events, it is the duty of the author to aim to record facts, independent of his or any ones opinion of the right or wrong of the same. However we may regret or admire the deeds and acts we are writing about, they should not weigh a feather in swerving us from speaking the truth. This is the impulse which has moved me in writing the history of the suffrage question in Rhode Island. I have endeavored not to allow my own private opinions or those of others, to sway me at all. I have tried to write the truth of what has taken place, and what will in the future occur, as a historian will write one hundred years hence. The mistakes which a great man may make who

is engaged in some great and noble enterprise, will be overlooked and forgotten by posterity.

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Although Rhode Island was settled in 1636 by Roger Williams and his followers, yet they obtained no Charter from England for their Government until 1644, when they obtained one of the English Parliament for the Government of the little Colony. This Charter was democratic. It clothed the inhabitants of the Colony with "full power and authority to govern and rule themselves, and such others as shall hereafter inhabit within any part of the said tract of land, by such form of Civil Government as by voluntary consent of all, or the greatest part of them shall be found most servicable in their estates and condition." This was a democratic form of government for the Colony of Rhode Island and Providence Plantations. It gave the inhabitants the right to establish such form of government as a majority saw fit. Oliver Cromwell when Lord Protector of England or the then British Empire in 1655 confirmed it to the Colony; but in 1660 Charles the 2nd. came upon the throne of Great Britain and a new Charter had to be obtained, which was granted in 1663, and was the only Constitution Rhode Island ever had until 1843 a period of one hundred and eighty years. This Charter for the time it was given was democratic and just, but it was like the laws of the Medes and Persians it "changed not." It granted to Newport, six members of the General Assembly; Providence, four; Warwick, four; Portsmouth, four; and all other towns to have two each. A Governor, Duputy Governor, and ten Assistants were to be chosen by General Ticket. This, for that time was democratic and just, but there was no provision in it for growth and expansion, nor no provision in it for any alteration or change whatever. Providence in 1840

had 23.172 inhabitants, while Portsmouth had only 1706 and had four representatives, just as many as Providence with its 23.172 inhabitants. The little town of Jamestown with only 365 inhabitants had two representatives, and Smithfield with 9.534 inhabitants had no more. Warwick with its 6.726 inhabitants had four representatives, as many as Providence with its 23.172 inhabitants. Barrington with 540 inhabitants had two, as many as Cumberland with 5.225 inhabitants. These unjust inequalities existed in other towns. Newport with 8.333 inhabitants had six, and Providence 23.172 inhabitants had only four. A man had to own \$134 worth of Real Estate to be a voter. The oldest son of a Free-holder, though a fool, could vote; but his other sons, however talented, could not vote, unless they owned \$134 worth of Real Estate. A man might have any amount of personal property and pay a tax on it, but could not vote. All able bodied men from 18 to 45 years of age had to bear arms, but could not vote. It was a burning shame in a free democratic government, that these things were permitted so long. It was high time that the people should rise in their strength and have it otherwise.

We will now give some account of the efforts made at different times to extend suffrage and form a Constitution.

The State had outgrown the Old Charter and its government had neglected when the United Colonies declared their Independence, to form a liberal and just Constitution as the other States had. In 1811, a bill passed the Senate of the State to extend the right of suffrage to those who paid a personal property tax, but it was defeated in the House of Representatives. In 1824, a Convention of the freemen (owners of Real Estate) was called by the General Assembly to form a Constitution. Such an instrument was formed, but was

voted down by the land holding freemen by a large majority. In 1829, a renewed interest was awakened among the better and more intelligent class of the freemen, and those that were disfranchised, especially in the city of Providence, then a town, the most intelligent and enterprising portion of the State. Frequent meetings were held to forward the object. The most influential newspapers in Providence advocated the extension of suffrage and the formation of a Constitution most eloquently. The Rhode Island American, The Literary Cadet, the Rhode Island Statesman, and the Microcosm, all favored the cause. I believe the Manufacturers and Farmers Journal rather favored the movement. The American and Rhode Island Statesman, were the most influential papers in the State and had the largest circulation. The National Republican Party, that spring nominated no State Ticket to be voted for at the April Election. Thinking it to be of no use to do so, as Governor James Fenner, the candidate of the Jackson Party was sure to be elected. Therefore the newspapers named above, formed a State Ticket in favor of the extension of suffrage and the formation of a Constitution. They placed Asa Messer, a former President of Brown University, at the head of their Ticket for Governor and warmly and eloquently advocated his election. Governor Fenner, the Jackson party candidate received at that Election 2793 votes.

Asa Messer the Suffrage candidate	1455	"
and there were scattering	266	"
A majority for Fenner over all of	1072	"

As soon as the returns were all in, the Providence Patriot came out boasting that it was a Jackson or Democratic Victory. Those who voted for Asa Messer it called "National Republican and old Federal," The whole vote cast in the State was only 4514. The Legislature was petitioned at its

May Session, for a Convention to form a Constitution. This petition was referred to a Committee of the Assembly of which Hon. Benjamin Hazard, of Newport, was Chairman, and this report gave them leave to withdraw. In that famous report occurs this passage.

“ The Committee have not thought it necessary to inquire particularly how many of the signers are native citizens of the State, but they are sufficiently informed to be satisfied that a very great proportion of them are not so, and it is ill calculated to produce a favorable opinion of their qualifications, of those of them, rather, who know what they are signing (who on such occasions are very few,) that persons who have adventured, and are every day adventuring among us from other States, or Countries, to better their condition; who enjoy in common with ourselves, all the protection and benefits of our equal laws, and upon whose departure there is no restraint; should still be restless and dissatisfied unless they can introduce here the political systems of the States they have left; and in recommending those systems, should think themselves at liberty to denounce the whole race of our ancestors, as well as the present freemen of the State, and their government, as enemies to freedom and republicanism; and as having sacrificed justice and principle to self-interest. Without troubling the House with any further mention of these memorials, the committee recommend that the memorialist have leave to withdraw them.”

Mr. Hazard goes on with his report in more than twenty pages in further justification of his abusive and unjustifiable course. The true meaning of this extract is; “ They came into the State uninvited, and on their departure, there is no restraint.” The late Senator Anthony had quoted this sentence so often, that he almost thought himself its author.

The Petitioners considered at the time, that this committee had treated them with scorn and contempt. All the National Republican papers in Providence so viewed it, and used this expression, "That they had kicked the Petitions under the table."

Mr. Hazard closes his long and laborious report with the following frightful statement.

"We ought to recollect that all the evils which may result from the extension of suffrage will be evils beyond our reach. We shall entail them upon our latest posterity without remedy. Open this door, and the whole frame and character of our institutions are changed forever. It is not safe for any nation to flatter itself that it will always be wiser and better than all others have been. The Athenian and Roman republics renowned and proud of their liberties as they were, were subverted, one after another, and enslaved by the instrumentality of this same engine of universal suffrage. The moment that is introduced, the brokers of office and sellers of their country publicly spread their tables, upon which they counted out their bribes to voters."

For the Committee:

B. Hazard.

In 1832, another effort was made to form a Constitution which shared the same fate of all previous efforts.

In 1834, a party was formed for the express purpose of forming a Constitution, and extending the right of suffrage through, and by, the constituted authorities of the State.

During the existence of this party in the winter of 1835 and 1836, a State Central Committee was formed consisting of ten members the same number of the State Senators. This Committee consisted of Thomas W. Dorr; Joseph K. Angell; Metcalf Marsh; Noah J. Arnold, and six others.

Mr. William Larned's Newspaper, the Courier was the organ and members of the State Central Committee and other friends of the cause wrote a great many articles which were published in this paper, advocating the formation of a Constitution. Some of these articles were highly spoken of by other papers. This party nominated a full Ticket for State Officers in the spring of 1837. The Whig Party that spring did not nominate a State Ticket, thinking it was no use to try to beat Governor Francis. William Peckham, of South Kingstown, was nominated by the Constitutional or Suffrage Party. Do not remember the names of the rest of the General Officers. Nor who was nominated for the ten Senators. I remember, however, that Charles T. James was one of them. In the April Election they polled 946 votes. These were all freeholders, all owners of Real Estate. John Brown Francis received at this election 2.762 votes and there were 54 scattering, making a majority of 1.762 votes over all.

The Providence Patriot, (the Van Buran paper) when the returns were all in, published the returns as a Democratic or Van Buran victory over the Whig Party, styling the Suffrage Party, the Whig Party; but the Constitutional or Suffrage Party ran no more Tickets. the two great parties absorbing it. So, after a resolute struggle of four years the party became extinct. It is my duty to state here, that nearly all of the 946 votes for this constitutional candidate were from the Whig Party. There were 29 votes for this ticket in the town of Coventry and *every man* was from the Whig Party. The Van Buran or Jackson party all opposed the movement.

But although this movement for the formation of a Constitution was sincere, active, and energetic, yet after four years struggle, the real strength of the party principles in favor of a Constitution did not appear to be advanced. It

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really looked as though the Old Charter Government *never meant* that a Constitution should be made for Rhode Island. For the General Assembly called a Convention of the freemen of the State, who met in Providence, in September 1834, to propose some amendments to the existing institutions of the State, or to form a Constitution. A motion was made in this Convention to extend the suffrage qualification to the citizens of the State who paid a personal property tax, and it was voted down; only seven voting for the motion. The Convention could not maintain a quorum and adjourned *without doing anything*. The Great Garrison Presidential Campaign of 1840, completely swallowed up the Suffrage Party, and all others; but the friends of a Constitution and the extension of suffrage learned a lesson during this campaign. They learnt what effect emblems, singing, stumping speaking, music and processions, would have on the people. As the Jackson, Van Buran, or Democratic Party got badly defeated in this campaign, without hope of recovering power on the old issues, they were the more easily persuaded to join the friends of the extension of suffrage and a Constitution. They united their forces and some thousands of the old Garrison Whigs joined them and in 1841 commenced holding meetings making powerful stump speeches, had processions and music, newspapers all over the State were enlisted and hundreds of the ablest men in the State from the Whig and Democratic parties united with the Suffrage or Constitutional party, which made a party strong enough to carry everything before them. They resolved to petition the Legislature no more, but to call a Convention of the People and form a Constitution, and offer it to the people for their adoption or rejection and if a majority of the male citizens of the State, 21 years of age voted for it, to chose officers under it, take possession of the

State House and Government Archives, and govern the State under their Constitution. A whole generation had thus passed away in fruitless efforts to obtain the right of suffrage and form a Constitution. They felt justified in taking this revolutionary course. In the late autumn of 1840, Suffrage Associations were formed in various parts of the State.

These Associations were formed with a view to give concentration and energy to the suffrage movement. They were followed by a mass meeting of the friends of suffrage, which was convened in Providence on the 17th. of April 1841, which was numerously attended. This meeting was followed by another mass meeting, which was held at Newport on the 5th. of May 1841. At this meeting resolutions were adopted setting forth the principles of the suffrage movement, advowing its entire disconnection with the existing political parties of the day and appointing a State Committee of eleven persons to superintend the affairs of the suffrage cause. This last mentioned meeting adjoined to meet in the city of Providence on the 5th of July following, prior to which time, viz: (on the 11th day of June 1841,) the State Suffrage Committee issued an address setting forth the grounds and principles which constituted the basis of the action of the Suffrage Party and recommending the calling of a Convention to frame a Constitution. This address closes with this pointed and emphatic appeal.

“ We would earnestly invite you to aide us in tumbling down the present Government of Rhode Island. We would have a peaceable revolution if we can, and if we can get a majority of the people of this State over 21 years of age to vote for our Constitution, and take possession of everything as we intend, and then if there be blood spilt, recollect that the minority will be rebels and not we who lead the great and moving mass.”

About this time the Suffrage Party held a mass meeting and roasted an ox on Smith's Hill, in Providence, which did something to tone up public opinion in their favor. The next event in the history of this movement of the people, with a view to the adoption of a Constitution, was the holding of mass meeting adjourned from Newport to Providence on the 5th. of July, to celebrate the 4th. of July which came on Sunday. This meeting was attended by a large concourse of people from all parts of the State, at which resolutions were passed, and other proceedings had, expressive of the *inflexible determination* of those present to establish, by a resort to their inherent sovereign power and establish a Republican Constitution and Government. This meeting was attended by several thousands. A procession was formed in the centre of the city numbering some three thousand, escorted by the American Band, The Cadets, of Providence, and the Woonsocket Light Infantry, and marched to the Dexter Training Ground, where a large Platform was erected, and General Martin Stoddard was chosen President, with a large number of Vice Presidents.

The Rev. Mr. Balch, Pastor of the First Universalist Church, delivered an eloquent Oration, advocating the formation of a Constitution, and the extension of the right of Suffrage. He was followed by several able speakers on the same side, which were listened to by many thousands of people. Many writers on each side were writing for the Newspapers, using the strongest arguments they possibly could on both sides; but the Suffrage Party had control of the most Newspapers, and had the better of the argument. The next step taken was the issuing of an address by the State Committee, dated the 24th. of July 1841, calling upon the people to meet in the city of Providence, and the several towns

and places of voting, on the 8th. of August ensuing and chose delegates to a Convention to be held on the First Monday in October following, for the purpose of forming a Constitution, to be submitted to the people of the State of Rhode Island, for their adoption or rejection.

In accordance with this call, delegates were duly elected in the several Towns and the City of Providence, a very few Towns were not represented. The Convention assembled on the First Monday in October, and sat through the month and into November, framed a Constitution, and adjourned to the 16th. of November, at which time the Convention re-assembled and finished the Constitution, publishing it on the 18th. and directed it to be submitted to the people for their adoption or rejection on the 27th. of December ensuing, on that and five succeeding days. The Convention then adjourned to meet again on the 12th. of January 1842. Every person voting on the question of the adoption or rejection of this Constitution, was required to be an American Citizen of the age of twenty one years, and was required to have a permanent residence or home, in the State of Rhode Island. He was required to vote by a written or printed ballot, with his name written upon the face of it, and which was in the following words: "I am an American Citizen of the age of twenty-one years, and have my permanent residence or home in this State."

The Constitution also required that meetings of the citizens entitled to vote under it, should be held for the purpose of adoption or rejection, in the several towns of the State, and wards of the city of Providence, at which meetings moderators and clerks were to be chosen, who were to preside over and direct the business of said meetings. It also provided that on the three first days prescribed for receiving the votes of

the people, the citizens should deposit their ballots in person and on the last three, in accordance with an ancient law of the Colony, by proxy. The proxy ballot was in the same form as the other ballots. The proposed Constitution also required the moderators and clerks to keep a record of all who voted, and carefully to receive and keep the ballots, and to be sealed up and returned to the clerks of the Convention, to be counted in the Convention on the 12th. of January 1842. When the Convention assembled January 12th. the votes were counted and found to be 14.000. Of which 13.944 were for the adoption of the Constitution and 56 against it. Of those who voted for its adoption 4.925 were qualified freemen under the Old Charter Government. This was a large majority of the land holders who usually voted in all State Elections in previous years. The white male citizens in the State at that time 21 years old were 22.674. Of these 9.590 were qualified freemen under the Charter Government, therefore the Constitution of the Suffrage Party received a majority of the Land Holders. The Convention there on the 13th. of January declared the Constitution adopted and *was the supreme and paramount law and Constitution of the State of Rhode Island.* The Convention ordered an Election of Governor and State Officers, and members of the Legislature on the 18th. of the ensuing April 1842.

In the meantime the Land Holders, or what they called themselves, the "Law and Order Party," became alarmed at the political State of affairs and the threatening progress of the Suffrage Party, in the month of August 1841, their Legislature called a Convention to form a Constitution. This Convention met in Providence November 1841, It held four Sessions. The last Session was held Feb. 14th. 1842, when it completed its Constitution. Every native white male citi-

zen 21 years of age, who was a resident of the State, had a right to vote for or against it, the same as the Suffrage or Peoples Constitution. The Suffrage Party warmly opposed this Constitution on the ground that they had already adopted a Constitution of their own, and that their was no necessity for another; that they were not going backward but forward. But some 2,000 of them probably, left the Suffrage Party, and voted with the Land Holders or Law and Order Party, for when it was voted on March 12th, 22nd, and 23d never was an Election more warmly contested in Rhode Island. Each party did its utmost; one to adopt, the other to oppose the adoption of this Constitution. The Constitution was defeated by the following vote.

Against the Constitution	8689 votes.
For " "	8013 "
Majority against adopting it	676 "

This action in defeating the Land Holders or Law and Order Constitution, was the *fatal mistake* of the Suffrage or Dorr Party. Had they permitted the Constitution to have been adopted would have given the Suffrage Party full control of the State Government and they would have held it probably, for many years and have done anything they pleased; for undoubtedly they had a very large majority of the white male population of 21 years of age with them, and being the means of extending suffrage and establishing a Constitution gratitude of the people for their obtaining this material right of which they had been heretofore deprived, would have kept them in power. Although they might have been right in principle, in voting for and adopting the Suffrage Constitution as they did, yet as the State had been ruled by the Charter Government ever since its settlement, for 200 years as absurd as it was, as the Land Holders had at last yielded and

granted what they asked, and what they had been contending for many long years, policy, if not principle, should have induced Gov. Dorr, and the suffrage leaders to accept the boon offered them, though presented at the eleventh hour. Some two or three thousand of those who voted for the suffrage or Peoples Constitution, must have voted for the Land Holder, or Law and Order Constitution; as the vote on the adoption of that instrument plainly showed; for the Suffrage or Peoples Constitution was adopted by 13,944 votes and the same party only polled 8689 votes against the Land Holders or Law and Order Constitution: and 8013 votes were polled for it, making a majority against it of only 676 votes. What had become of the balance of the 13,944 votes which was past on the previous December for the Suffrage or Peoples Constitution amounting to 5255 men? It seems very plain where they went. Some two or three thousand must have voted for the Land Holders or Law and Order Constitution, and the balance did not vote at all; for the very reason that what they had been contending for many long years was at last granted, and they did not wish to fight for a right that offered to them without resorting to that *odious alternative*.

Among those who voted for the Suffrage or Peoples Constitution and now voted for the Law and Order Constitution, were the Hon. William Sprague and his brother Amasa Sprague and all their powerful influence amounting probably to at least a thousand votes. Hon. Nathan F. Dixon, Senator in Congress, died in January 1842 and Mr. Sprague was chosen by the Charter Government to fill the vacancy. The Suffrage or Dorr Party accused him of being bought to act against them, by the Law and Order Party electing him Senator. Whether this accusation is true or false, it is certain that his influence was afterwards against the Suffrage Party

which he had previously strenuously aided. There is further proof that there was a great falling away of the Suffrage Party. In the State Election under the Peoples Constitution on the 18th. of April 1842, Dorr for Governor and Amasa Eddy for Lieutenant Governor, the whole State Ticket only received 7000 votes. This was about 7000 less than the vote on the adoption of the Suffrage or Peoples Constitution.

These facts ought to have been enough to convince Gov. Dorr, and the other leaders of his party that the political tide had turned against them, and that thousands of their friends were leaving them and uniting with the Law and Order Party. He could now have retreated with a good grace, because the object for which he had been contending for many long years had been accomplished. The people of the State would have been so gratified to Governor Dorr as to bestow on him any office in their gift he might want. Besides, it would have restored the kindest feelings among all parties and those bitter animosities would all have been avoided, which thousands carried with them to their graves. This bitterness extended into every class and condition of society from the highest to the lowest; into both sexes. The female sex were more bitter than the male. Friendships were broken up families were divided and never visited afterwards. Even Governor Dorr's sisters would not see him. Men and women were proscribed by both parties. Churches were divided, and never united after. Had the Land Holders or Law and Order Constitution been accepted by the Dorr or Suffrage Party, all this would have been avoided.

As the Law and Order Constitution was rejected, the Old Charter Government was continued. Under it the election in April was held, none voting but owners of Real Estate and

their oldest sons. Samuel W. King received 4.864 votes.

Gen. Thomas F. Carpenter,	2.211	"
King's majority was	2.653	"

But the Dorr and Suffrage Party were determined that their Government should supercede the Old Charter Government. They met in their Legislative capacity in the Eddy street Foundery Building and chose Welcome B. Sayles, of Woonsocket, for Speaker. They enacted some Laws, and passed some resolutions, but had no power to enforce them. The Law and Order Party still "held the fort." They had possession of the State House, the Arsenal, the State Records, and the Great Seal of the State. Rhode Island had ~~ostensibly~~ two Governments, but one acted authoritatively. The other tried to get possession. Gov. Dorr went with an armed company and took possession of two brass cannon belonging to the State. A few days after this event, a body of his men were assembled on Atwell's Avenue near Burrington Anthony's house, with the two brass cannon he had taken, heavily loaded with spikes and pieces of broken cast iron. Several of the Law and Order Companies marched up to take them. One of Dorr's men swung his torch and was about to touch them off, and discharge them directly into the mass of soldiers. When another of his comrades pulled him away and the cannon were not discharged. Had they been there must have been great loss of life. Dorr's forces withdrew with the cannon and there was no fighting.

Governor Dorr marched one evening in May with two hundred and fifty men to storm the Arsenal, (now called Durfee's Mill,) He brought the cannon to bear on the Arsenal and ordered them touched off. The flash was seen, but the guns did not go off. Some *one* of his *men* had secretly spiked them, to avoid the shedding of blood. When Dorr

found that his guns were spiked, he withdrew his forces to another place where he had plenty of friends. Soon after this affair Gov. Dorr went to New York and spent a few days. When he returned, he landed at Hill's Wharf, where he was met by a large crowd of some three thousand of his friends, who formed a procession with music, and escorted him riding in a Barouche drawn by four horses to Burrington Anthony's on Atwell's Avenue where the procession halted. Here Gov. Dorr made them an inflammatory speech, eloquent and exciting; finally drawing the sword that hung by his side flourishing it in the air said, "I will stain this sword in blood to the hilt if necessary to establish the Peoples Constitution."

When he uttered this sentence, many of his suffrage friends left him and followed him no more. His troops were now assembling in Chepachet and entrenched on Acote's Hill an eminence one third of a mile south of the village. But Gov. Dorr's head quarters was at Gen. Jedediah Sprague's Hotel in the village. The suffrage men who still adhered to the cause went there, in scattered numbers, from all parts of the State. Gen. Jedediah Sprague was Dorr's Major General and Commander in Chief of all his forces. A Mr. H. De-Wolfe, came to his aide from Massachusetts and Dorr made him a Brigadier General. Dorr's forces remained there about two weeks. Governor Dorr was there about one week before he disbanded them. Stories spread through the country that Dorr had a large force there, amounting to two thousand or more, well armed and equipped and well drilled men. These stories were generally believed. Most every one believed that there would be hard fighting, and that the Law and Order Army would get badly whipped, and then Gov. Dorr would march to Providence, take possession of that city, the State House and fully establish the Government under the Suffrage

or people's Constitution. Such was the talk of all the officers who came from Chepachet and all his friends in the neighboring Towns in the adjourning States. One of his officers was seen at a Hotel in Woonsocket, with his sword hanging to his side. A Law and Order citizen asked him how many men they had in Chepachet. The reply was, "Enough to march the length of the State." Such was thought to be the fact all over New England and perhaps in parts of New York and New Jersey, and other States. Dorr was to have been aided largely from the slums and lower stratum of the city of New York; but they did not come. The Law and Order Party were not idle. They had ordered out the entire militia in force of the State and the uniform Companies that adhered to there side, and all men, old and young, who were friends of the Law and Order cause, volunteered to join the army, so that they mustered over four thousand men well armed and equipped with thirty pieces of Artillery. A large portion of this force marched towards Chepachet by two or three different roads. The main body marched by the Greenville road. The Law and Order Legislature of the State had proclaimed martial law June 25th. All this news was carried to Governor Dorr in his encampment on Acot's Hill. He says that on the 27th. of June, the day he disbanded his forces, he had but 225 men under arms, and but six pieces of cannon. Such a force were not able to cope with 4000 men armed to the teeth. So Governor Dorr issued his orders to disband June 27th. 1842. His men fled to Connecticut and Massachusetts for protection leaving their cannon and camp implements of war on the Hill. Not a man was left behind. When the advance guard of the Law and Order Army reached Acots Hill it was thus found. They took some of the most violent suffrage citizens of Chepachet prisoners and marched

them bound to Providence in the dust and sunshine of a June and July sun. Several of such citizens in various parts of the State were made prisoners, but after being detained a few days, were sent to their respective homes.

I should have said that both parties had appealed to the President of the United States to be recognized as the rightful and legal Constitutional Government of the State. He did not openly seem to take sides with either, but it was evident that he would interfere and send troops when it was clearly evident that the Law and Order Government could not put the rebellion down. He sent the United States Company of Flying Artillery, Major Ringgold, Commanding; to the State, and they took up their position in the Fort at Newport; but they took no sides, neither were Major Ringgold's instructions known, but there was no necessity for the interference of the United States Government, for Rhode Island appeared abundantly able to put down the rebellion itself.

Governor Dorr attributed his defeat to the interference of President Tyler taking sides with the Law and Order or "Algerine Government." There is no doubt but this had its influence. This affair shook the United States from Maine to the Mississippi, and from the Atlantic Ocean to the St. Lawrence River.

At some celebration on the ensuing 4th. of July, in Massachusetts, this toast was given and drank:

"Rhode Island: the smallest State in the Union: Behold how great a fire a little matter kindleth."

The Law and Order Party had offered one Constitution to the Suffrage or Dorr Party and they had rejected it, as has been stated, and they were fully aware that Rhode Island *must have a Constitution*, and that it was no use to offer them the one again, they had just rejected; therefore in the

month of June the Charter Legislature voted to hold another Convention to form another Constitution, and called on the freemen of the State to chose delegates on the Third Tuesday in August to meet in Convention at East Greenwich on September 12th. They met and drafted a Constitution and adjourned to November 3d. and completed the instrument; and the time set for its adoption or rejection on the 21st. 22d. and 23d. of November 1842. it was adopted by some over 7000 votes there being no votes in opposition. The Suffrage or Dorr Party refusing to vote for or against it. The word white was not in this Constitution, therefore the colored citizens were admitted as freemen, on the same terms as the other citizens. In this, and in some other respects, this Constitution was better than either of the others. By this Constitution every Town and the City of Providence had a Senator. This provision was very pleasing to the smaller Towns giving them as much power in that body as the large City of Providence. This Constitution has governed the State ever since it went into operation in the spring of 1843.

In the first election under it, the Law and Order candidate for Governor, Hon. James Fenner, received	9,107	votes.
Gen. Thomas F. Carpenter, Do.	7,392	"
And there were scattering	21	"
Total.	16,520	"

This give Governor Fenner a majority of 1694 votes over all, and 1719 votes over Gen. Carpenter, the Suffrage candidate.

Governor Dorr left the State when he and his forces left Chepachet, and he did not return until the fall of 1843. As soon as he did return he was arrested; viz: October 29, 1843, and was immediately put in prison and kept there until his trial April 26, 1844. The trial closed May 7th. following,

when the jury brought in a verdict of guilty; but he was not sentenced till the following 25th. of June, in consequence of the efforts of his council for a new trial, and other points of the law which his council strongly contended for. His council were: Hon. Samuel Y. Atwell, of Chepachet, and George Turner, Esq., of Newport. The council made an able plea in his defence, a plea, probably, that has never been excelled in the State, but Governor Dorr, when asked by the judge, as he was about to pass sentence, why sentence should not be pronounced upon him? made one of those eloquent speeches that will probably descend to posterity. One is forcibly reminded of the similarity to the immortal speech made by the lamented Robert Emmet, when tried by Great Britain for the same offence, (treason) of which we copy the last clause, to show the resemblance to that of Gov. Dorr :

“ I have,” says Emmet; but one request to ask at my departure from this world, it is the charity of its silence. Let no man write my epitaph, for as no man who knows my motives dare now vindicate them, let not prejudice or ignorance asperse them. Let them and me repose in obscurity and my tomb remain uninscribed until other times and men can do justice to my character. When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written.”

Governor Dorr replied in the following eloquent words.

“ Claiming no exemptions from the infirmities which beset us all, and which may attend us in the prosecution of the most important enterprises, and, at the same time, conscious of the rectitude of my intentions, and of having acted from good motives in an attempt to promote the equality and to establish the just freedom and interest of my fellow citizens, I can regard with equanimity this infliction of the Court, nor would

I, even at this extremity of the law, in view of the opinions which you entertain, and of the sentiments by which you are animated, exchange the place of a prisoner at the bar for a seat by your side on the bench.

“The sentence which you will pronounce, to the extent of the power and influence which this Court can exert, is a condemnation of the doctrines of '76, and a reversal of the great principles which sustain and give vitality to our democratic republic, and which are regarded by the great body of our fellow citizens as a portion of the birth-right of a free people.

“From this sentence of the Court I appeal to the people of our State, and of our Country. They shall decide between us. I commit myself, without distrust, to their final award. I have nothing more to say.”

This eloquent and pathetic appeal made no impression on the Court that was bound to convict and sentence him, and Governor Dorr was sentenced to imprisonment for life in the State's Prison at hard labor! He had been imprisoned some six months before his trial. He was sentenced June 25, 1844; but was pardoned after being confined there about one year more by the Legislature of the State.

A portion of the Law and Order Party, joined the Dorr or Suffrage Party, and, after a very warm and exciting political campaign, elected Hon. Charles Jackson, Governor of the State, with a Legislature that voted to pardon Governor Dorr and let him out of Prison; at the June Session of the Assembly, 1845.

Governor Charles Jackson received	8,010 votes.
“ James Fenner “	7,800 “
There were scattering	61 “
Governor Jackson's majority over all was	149 “
Hon. James F. Simmons, Hon. Samuel Mann, Hon. Willis	

Cook, Hon. Lyman A. Cook, and others, of the first men in the State aided in this movement, and when the day came for letting Dorr out of Prison, from one thousand to fifteen hundred of his Suffrage friends went to the Prison, received him in triumph, and escorted him to Burrington Anthony's. From there he went to his father's house. It was a great ovation and proved conclusively what respect, love and esteem, he was still held by the Suffrage Party, but his health was so broken down by his imprisonment for seventeen months, that he gradually failed and died.

It is now forty-five years since Governor Dorr's trial, and forty years since his death; and most all parties who were concerned in those exciting transactions on both sides, have paid the debt of nature and gone to that unknown country, where the unnumbered millions who have lived since Adam have gone, and their deeds, good or bad, are buried with them!

There is an occurrence in the life of this remarkable and much abused man, that is worthy of being mentioned here. The Hon. Mr. Burke, Member of Congress from New Hampshire, at that time, asked the Rev. William S. Balch, to see Governor Dorr after he was let out of Prison, and offer him any office in the gift of President Polk, except in the Cabinet or the leading European Foreign Missions. Says Mr. Balch.

"I did so in as cordial manner as I could. He heard me calmly, almost without emotion and then deliberately said, 'I thank you for coming to see me to bring me so liberal an offer from such a source. I know it is well meant, and I am grateful for it. You will please convey my sincere thanks to your friends and the President for so generous an offer.' Then rising in the moral dignity of a true manhood, he continued,

"See here, seventeen months of imprisonment in a low damp

cell, for a conscientious discharge of my duty, in an attempt to secure the rights of the people, as enjoyed in every other State in the Union, and guaranteed in the Federal Constitution — paid by an appointment to an office? No! Never will I so demean myself. I never sought an office, and never accepted one but from a sense of duty to my fellow men. Should they again demand my services I would cheerfully give them; but I will not accept a public office as a gratuity or as a compensation or sinecure. I rather stay at home with my mother."

His bosom heaved, his voice trembled, and pearl-drops started from his eyes. For some time neither spoke. Dorr had a mother. Their love was mutual. Each was worthy of the other. She did not neglect him if others did.

The time has begun to dawn when the transactions of those turbulent days, and the motives that governed the transactions of the actors in that great drama of human events, can be judged with an impartial judgment. What were the motives that warmed the heart, and actuated Governor Dorr, and those that adhered to him? Was he justified in the course which he and they took to establish his government in Rhode Island? Was he true to the principles which his party enunciated in 1841, and 1842? And in fact which he had advocated so ably for some ten years before? Whatever opinions may be entertained of the right, or wrong of the crime he was charged with, and convicted; there can be but one opinion of the motive that actuated him. That it was pure patriotism as he viewed it, and that he had at heart the welfare of the people of Rhode Island and the human race. He believed that the people of any State or country were sovereign, and the rightful possessors of all power, and therefore, had a right to form and establish such a form of government for themselves as in their judgment they thought best. This

was the doctrine that his party proclaimed when they started and he, and a large portion of that party still adhered, and to be consistent, he was obliged to stick to them to the end, and all know that he did. And, if consistency justified one for his conduct, then Thomas W. Dorr, stands justified before the world! These had been his sentiments for several years, and were the declared sentiments of 13,944 of his fellow citizens who voted for the Suffrage or People's Constitution in December 1841. This class of his fellow citizens put him at the head of their party to carry out and enforce these principles, and he never betrayed them!

I suppose he thought it would have been *morally criminal* for him to neglect to attempt to enforce the Suffrage or People's Constitution. If this be so, how can one justify that half of the Suffrage Party who forsook Dorr, joined the Law and Order Party, and left him to his fate? By the rule of equity, they *cannot be justified*; but by policy, expediency and humanity they can be. The extension of suffrage and the abolishing the old Charter Government, and establishing a Constitutional Government was what the Suffrage Party was formed for, and what they had been contending for, so many years. All this was offered them by the Charter Government under which the State had lived and flourished for nearly two hundred years. To fight for what they could have without resorting to that *dreadful alternative*, would seem to be folly indeed. Never fight for anything, if you can have it without. This should be an established maxim all over the world. Although the land holders were *altogether to blame* for not granting this before; yet, as they offered it at the eleventh hour, policy, expediency and humanity, all would say accept it, and thus save the shedding of blood. It was under this head that so many forsook Governor Dorr, and left him to his fate. It was a hard and difficult position to place a

man; but as difficult as it was, Governor Dorr faced it. Many of his warmest friends told him when the land holder's offered the people their Constitution, that they could not concientiously go any further in resisting the Charter Government, as it had yielded all that the Suffrage Party had been contending for, and advised him to accept it; but Dorr could not see it in that light, and he still persisted in keeping up the agitation and excitement. By so doing he thought finally to prevail and establish the Suffrage or People's Constitution and this, and not the Land Holder's should become the fundamental law of Rhode Island; but all in these fond anticipations he was bound to be disappointed, and he occupied a prisoner's cell instead of a Governor's Mansion; and had the mortification to see near half of his party forsake him, and the principle for which they had been contending and had voted for, in adopting the Suffrage or People's Constitution.

It is a fact worthy of note, that every State in the Union up to that time had adopted or officially had made a declaration of the very principles for which Governor Dorr and the Suffrage Party in Rhode Island for years had been contending; and for endeavoring to put them in operation Governor Dorr was imprisoned, and by being confined there one and a half years, got his death wound; and, strange to relate, the Land Holders or Charter Government of the State, had many years before, officially made a declaration of the same sentiments, and what is more wonderful still, Rhode Island has at last legally adopted them; and are, at the present time in operation in the State!

This, the world will say, vindicates Dorr. It makes mankind blush to think, that he was villified and imprisoned for trying to establish in our State the rights of man, which we all so freely now enjoy. The day is not distant, when a

splendid monument will be erected to his memory rivaling anything in our cemetaries. His name will go down to posterity, hand in hand with Roger Williams: Roger Williams as the great defender of soul liberty and religious freedom: Thomas W. Dorr, as the great defender of political freedom and the rights of Man.

DEATH OF CANONCHET.

By Richard S. S. Andros.

On his conquerors he gazed
With a proud and haughty air,
And his eye with a flame of hatred blazed,
Which shook the boldest there;
And a bitter smile of scorn
Around his dark lip played,
While his brow, like a cloud
 by thunder torn,
Wore a deep and fearful shade!

“ Go, – bid your chief attend !
I have no words to spare,
No breath in idle talk to spend
With *children* – as *ye* are;
Though captive and in chains,
Though fettered every limb,
While a drop of royal blood remains,
I speak with none save him !

Ye say my doom is death !
Strike ! nor a moment spare !

I ask ye not for another breath !
I have no need of *prayer* !
Death – death – I like it well !
Ere my heart be soft and tame –
Ere my breast with a thought or
feeling swell,
Unworthy of my name !

But mark ! *Revenge will come* !
The tomahawk and brand
Shall devastate each field, each home,
And sweep ye from the land !
Soon may the dark cloud burst,
The tempest round ye break;
For *blood* a thousand warriors thirst,
And *yours* that thirst shall slack !”

Old men in silence stood,
Young limbs with terror shook,
Bright eyes grew dim, and the
curdling blood
Each ruddy lip forsook;
The bravest soldier paled,
Though burning for renown,
And the heart of stearnest metal
quailed
Beneath his deepening frown.

“ Why wait ye ! I have done !
Cravens ! why shrink ye so ?
Among ye all is there not one
Dares strike the deadly blow ?”
A moment – through the air
The death charged bullet rung !

He fell - In his eye a hideous glare,
And a curse upon his tongue.

April 9th. 1676. Canonchet was found on the Pawtucket or Blackstone River, not far from the village of Pawtucket. The following is a part of Hubbard's account of his capture. [See pages 128 129.]

"One of the first English that came up with him was Robert Stanton, a young man that scarce had reached the twenty second year of his age, yet adventuring to ask him a question or two to whom this manly sachem, looking with a little neglect upon his youthful face, replied in broken English;

"You much child; no understand matters of war; let your brother or your chief come, him will I answer."

And was as good as his word; acting herein, as if by a Pythagorean metempsychosis, some old Roman ghost had possessed the body of this western pagan; and like Attilius Regulus, he would not accept of his own life, when it was tendered him, upon that (in his own account) low condition of compliance with the English, refusing to send an old counsellor of his to make any motion that way, saying he knew that the Indians would not yield; but more probably he was not willing they should, choosing rather to sacrifice his own; and his people's lives to his private human of revenge, than timely to provide for his own, and their safty, by entertaining the counsels of a peace, so necessary for the general good of all.

When told, his sentence was to die, he said, "he liked it well, that he should die before his heart was soft, or he had spoken anything unworthy of himself." He was shot at Stonington under the eye of Denison, and the friendly Indians were his executioners."

* * * * *

“ His carriage was strangely proud after he was taken. Being asked why he did foment that war which would certainly be the destruction of him and all the Heathen Indians in the country &c. He would make no replies to any interrogatories, but this; that he was born a prince, and if painces came to speak with him he would answer; but none present being such, he thought himself obligued, in honor, to hold his tongue, and not hold discourse with such persons below him in birth and quality. He told them he wished rather to die than to continue under confinement; that all he desired was not to be tormented, but presently put to death, which he requested might be done by young Uncas that aided us, by acknowledging him his fellow prince; yet, withal threatened he had two thousand men who would revenge his death severely.

Letters to London, page 9.

See the number of this Magazine for January 1886, (Vol. IV. No. 3, page 161.) for the Hon. Albert C. Greene's beautiful poem on this same subject.

GILBERT STUAR■.

Captain George N. Kenyon the present owner of the birthplace of Gilbert Stuart the celebrated portrait painter, gave a clam-bake in honor of the disabled soldiers, and invited the Governor and Secretary of the State, and a few other friends to partake of his hospitality, and the gallant Captain included the Editor of this Magazine among this list of select friends. After the feast had been partaken of, the Captain called on us for a few remarks; to which request we were pleased to respond as follows, as printed in the “ Wickford Standard,” of October 11, 1890.

Standing here, as we do today, upon ground made sacred as the birthplace of Gilbert Stuart, America's most famous painter, we cannot but realize and feel the thrill of the inspiration that drew forth the genius of that world-renowned man. As we look around, we see the same outlines of nature upon which his youthful eyes first rested in this world, and yonder is the brook by whose sandy beach the youth would draw, with his finger or a stick for a pencil, the bird, frog, fish, tree or whatever object his fancy found. This was his play, and this his greatest pleasure. The father had no sympathy for this idleness, as he termed it, and would chastise the boy for indulging it. He was sent to school to keep him from such amusement, but here a new set of objects claimed his attention, and for drawing which received the chastisement of his teacher. He was not discouraged, but drew his outlines in secret. Dr. Waterhouse was the first one who saw genius and forbade the teacher punishing the boy for this indulgence.

From Newport he went to Philadelphia, where he finished his education, from there to England, and, henceforth his name was famous.

The parents of Stuart were loyalists, and the father went with the loyalist emigration to Nova Scotia. There is a Resolution on our Colonial Records, which gave Stuart's mother leave to join her husband. But Stuart was a Patriot. Obliged to associate in England with those who took occasion to revile America and its people, prudence held the tongue while the soul was on fire. When the news of the battle of Saratoga and the capture of the flower of the British Army reached England, it created an intense feeling and was viewed as an national disaster. When Stuart heard the announcement his soul held in no longer, and he said, "Thank God! Thank God!"

The company turned upon him in great surprise. "Thank God, for such a disaster as this to our arms! Are ye not an Englishman?"

"No sir! Not an Englishman, but an American."

That was enough. His engagements were all cancelled and he was obliged to get out of England as soon as he could conveniently do so.

The Duke of Kent was anxious to have his portrait and decided on Stuart as the artist, and offered to send a royal frigate to America to bring him back to England if he would come. But no, not a Royal Duke with royal patronage behind him, had that inspiration for his pencil as his beloved chieftain and his country's deliverer, George Washington.

To paint this beloved face was the crowning ambition of his life. How well he has done that work we leave for history to record.

It is a rare pleasure for any to come to this beautiful place and view these scenes of beauty; that first awakened the genius of America's famous painter, Gilbert Stuart.

The Standard also reported - "The remainder of the time was passed in inspecting the various points of interest in and around the birthplace of America's greatest portrait painter, valuable points on the local history being given by Mr. Arnold of the Narragansett Historical Register."

See the number of this magazine for April 1883; (Vol. I. No. 4, page 247,) for a sketch of this place.

Announcement. It is with much satisfaction and pleasure, the Editor of this Magazine announces, that his great work the "Vital Record of Rhode Island, Volume I." will be ready for delivery to subscribers in January next. The work will have rising five hundred pages and will be elegantly printed. It cannot fail to be a source of pleasure unto all who are so fortunate as to secure a copy.

Mementos of the Revolution.

Papers relating to the Revolution and from manuscript in possession of
Mr. James Arnold, Putnam, Conn.

I.

ORDERS ON THE QUARTER MASTER.

MR. QUARTER MASTER.

Please to deliver canteen for Capt. May's company forty
men.

PORTSMOUTH, August the 11th day, 1778.

SAMUEL MAY, Capt.

CAMP, August the 10th day, 1778.

MR. QUARTER MASTER.

Please to Deliver provisions for fifty nine men of my
company.

SAMUEL WILBUR, Capt.

24 & Aug. 25, 1778.

Gen. West's Mess consists of 10 men.

Sig'd per DANIEL MOWRY, Secy.

CAMP BEFORE NEWPORT, August 26, 1778.

SIR: Please to deliver provisions for 55 men of my
Company for 3 days.

SAMUEL WILBUR, Capt.

Received of Quarter Master William Arnold 3 pails and 2 iron Kettles for the use of the sick of Col. Commandants West's Regiment.

E RICHMON, Surgeon.

RHODE ISLAND, Aug. 21, 1778.

CAMP, August 10, 1778.

SIR: Please to deliver the bearer have provisions for 48 men.

To Q. M.

STEPHEN KIMBALL, Capt.

MR. QUARTER MASTER.

SIR: Deliver two days provisions for sixty-five men in my Company.

JOB MOWRY, Capt.

PORTSMOUTH, Aug. 14, 1778.

You are to find the Adjutants of Col. Brewer and Col. Little's Regiments, and order them to my tent for orders, Immediately.

DAN'L BOX, Major Brigade.

July 27, 1775.

August 10, 1778.

MR. QUARTER MASTER.

SIR: Please to deliver to my sergt. an allowance of Bread and Meat for one day for 74 men in my Company.

ABM. WINSOR, Capt.

RHODE ISLAND, August 10.

MR. QUARTER MASTER.

SIR: Please deliver provisions 91 men in my Company.

EBENEZER TRASK, Capt.

PORTSMOUTH, August 10th day, 1778.

MR. Q. MASTER.

SIR: Please to deliver provisions for 63 men in my Company Col. West's Regiment.

JOB MOWRY, Capt.

PORTSMOUTH, YE August 14th, 1778.

MR. QUARTER MASTER.

SIR: Please to deliver to my corporal an allowance of Bread and Meat for two days for 72 men in my Company.

ABM. WINSOR, Capt.

PORTSMOUTH, August the 10th day, 1778.

MR. QUARTER MASTER.

Please to send provisions for 67 men.

COMOR SMITH, Capt.

MR. QUARTER MASTER.

Please to deliver Bread and Meat for Capt. May's Company in Col. West's Regiment for 82 men.

SAMUEL MAY, Capt.

PORTSMOUTH, August the 10th day, 1778.

CAMP RHODE ISLAND, August 23, 1778.

SIR: Please to deliver provisions for 53 men of my Company of alarm men, for 3 days.

JAMES ALDRICH, Capt.

To the Q. M.

MIDDLETOWN, August the 26, A. D. 1778.

MR. QUARTER MASTER.

Please to deliver allowance of Bread and Meat for 95 men in Col. Angell's Regt. in Capt. May's Company.

SAMUEL MAY, Capt.

You Capt. Thomas Wood are hereby ordered and directed to warn your whole Company to meet equipped as

the law directs at my house on Thursday the twentieth day of this Inst Sept. at nine o'clock in the forenoon in order to be reviewed, per orders of the Governor and Company of the State and make return of your defiance to me agreeable to the form that will be shown you by the Sergt. Major. Captains will take particular care to warn all the men properly,

ASA KIMBALL, Col. Com.

Dated MY QUARTERS 14th Sept., 1781.

II.

NARRATIVE OF SERVICE.

I William Arnold of Gloucester in the County of Providence and State of Rhode Island &c eighty-one years old the last day of May 1832 and Ingaged according to law do testify and say that I am well acquainted with Caleb Arnold now residing in Norwich in the State of New York He was born in the State of Rhode Island and lived in the town of Gloucester in the State of Rhode Island at the commencement of the Revolutionary War he was about eighteen years old and he was through the war and after the war till he was nearly fifty years old and his moral character as to truth and veracity was good He served through the war I was well knowing to his serving at Prospect Hill He was there when the British left Boston. He was a fifer and served as fife major the bigger part of the time through the war. In 1776 when the British landed in Rhode Island he was there 1777 in Spencer's Expedition he was there in the same

year. He was called to Providence and to Bristol. In 1778 he was in Sullivan's Expedition Rhode Island and served tours to Providence Bristol and at the shore. 1779 he was out a number of times and 1780 he was out Rhode Island and in 1781 he was called out five times but I cannot assert the precise time nor every place where he did duty for we were not always called out together but according to the best of my recollection he must have served as much as eighteen months for he lived in my neighborhood close to me and I was knowing to the most of the times when he was called out except in 1775 when I was at Boston eight months in the first campaign How much he was out in that time I cannot tell.

To whom it may concern. The statement of William Arnold's service in the Revolutionary war in each month in 1775. The 20d of April marched for Boston and 2d day of May enlisted in Capt Stephen Timberlake's company for eight months served as a sergeant 8 months.

In 1776 after the British left Boston in March he was called out to Providence several times and after they landed at Rhode Island one month to Bristol. 2 1-2 m.

In 1777 to Bristol before Spencer's Expedition in and after with Expedition to Tiverton in all in 1777 3 1-2 m.

In 1778 in the winter and in Sullivan's Expedition in August and after in all in 1778 3 1-2 m.

In 1779 Drafted out several times to Providence and Bristol in all in the year 1779 4 m.

In 1780 in the winter and after I reviewed my company in August In that year in all 2 1-2 m.

Journeyed to Rhode Island in the Mustering out served in all 1 1-2 m.

In 1782 out in all 1 m.

In 1783 not called to go out of the town.

GLOCESTER December 14, A D 1832

WILLIAM ARNOLD.

Glocester, Providence County, State

of Rhode Island &c William Arnold

On the 20th day of April A D. 1775, about sunrise I took my gun and joined Capt Abraham Winsor and marched to see what they were doing at Lexington went 16 or 18 miles and was left out 2d day in May enlisted in the 8 months service Capt Stephen Kimballs company Lieut Jonathan Smith Nehemiah Angell Ensign Col Hitchcocks Regiment Ezekial Cornell Lieut Col and Brigade Major General Greene Brigade in 1776. I was several times out and in December when the British Landed in Rhode Island I marched to Bristol and the course of the winter two months and the remainder of 1777 I was in service about 2 and a half months besides in Spencer's Expedition about one month, and Sullivan's Expedition in 1778 nearly one month more I served as Quarter Master 1779 I was out in alarms a number of times cannot tell how many perhaps 6 months in all besides one tour on Rhode Island 20 days in the course of the war and served one month in Providence one tour and one tour more a month afterwards and three tour more in 2d half months at a time, and two tours 10 days at a time.

NORWICH November ye 10 1832.

DEAR BROTHER: I take this opportunity to inform you that we enjoy good health at present our friends and relations are usually well.

I am about to apply for a pension and it is necessary

that I should get all the proof possible therefore. I apply to you for some assistance.

I have served in the Revolutionary war as follows 1776 one and one-half months at Prospect Hill Col. Daniel Hitchcocks Regiment Stephen Kimball Captain 1776 one-half month at Providence Timothy Wilmarth Captain one month at Bristol Timothy Wilmarth Capt 1776 enlisted into Captain Samuel Mays Company as minute man one month to Bristol S. May Capt in Gen Spencer's Expedition Brevetted Fife Major. One month to Tiverton Gen Sullivans Expedition 1778 one month to Howlands ferry and one-third of a month to Sechlich Beach Timothy Wilmarth Capt I served as fifer the first three months and the remainder of the time as fife major. I want you to make affidavit of all the facts stated above that are in your recollection and state therein your age and the place of your residence and have it signed by a Justice of the Peace who must certify that he knows you and that your moral character for truth and veracity is good, and get from the County Clerk a certificate that the officer who signs the affidavit is an acting Justice and attach the same to said affidavit and send me your bill of expenses and I will send you the money. It is necessary you should send me the returns by the third Monday in January, the day our Circuit Court sits. There is a man to be tried on that day in this county for murder. Our Election is just over and a warm one it was. I have not learnt the result. Grass came in very well. Corn not very good English grain good. Apples not so plenty as common. Cider is one dollar at the mill. We make over thirty barrels this year. It is a general

time of health. The cholera has not been in this vicinity.

N. B. I want you to state in your affidavit that I served as fife major. I was brevetted at Bristol 1776 By Adjutant David Richmond, and served as such the remainder of the time. I went on an alarm with you when you was Quarter Master either to Pawtucket or Warwick. Thomas Wood was appointed Captain of Artillery. You may state in your affidavit the place and the time we stayed. I have got Jabez's affidavit of some of the facts and I want yours of all you know. If you know of any other person get theirs &c.

I remain your affectionate Brother,

CALEB. ARNOLD.

If you do not get this time to forward your affidavit by the 3d mondy in January please to send it as soon as possible thereafter. Our County Court sits in February. Amos Westcott has got his papers allowed at Washington and will draw his Pension in March next

[From the Boston Post Boy and Advertiser, Nov. 5, 1764.]

We hear from Newport, on Rhode-Island, That a very valuable Mineral of the Coal Kind, is discovered within the Limits of that Town, in Land belonging to Captain Benjamin Almy. Upon repeated Trials it is found to be a very good Fuel, emitting an intense Heat, and more durable than any of the Coal imported; and there is no doubt of its answering many valuable Purposes.—The Inhabitants are well pleased with this Discovery, at a Time when the Scarcity of Cash, and Decline of Trade, seems to be a universal Complaint.

SAMUEL A. GREENE.

The Game Laws of Rhode Island.

BY F. C. CLARK, M. D.

THE germs of our present game laws laid not so much in our intelligent action on the part of the early settlers, as in the fear that the deer of the colony, from which considerable revenue was reaped, might be destroyed and with it the revenue.

The number of deer found on the island of Rhode Island seem to have been of sufficient account to receive, very early, the attention of the colonists, for we learn, that as early as 1683 the town of Portsmouth derived considerable revenue from the sale of venison. By an order of the town the purchasing price of this article, when bought from the Indians, was three half-pence a pound, and the selling price two pence; the treasury of the town thus making one farthing by the transaction. Four truckmasters, as they were called, were appointed to take charge of the venison trade of the town.

By an ordinance of the town of Newport in 1639, no deer might be shot by any person except on his own land. The Governor and Deputy Governor appointed persons expressly to do the shooting. As for the Indians, they were entirely left out in the cold and prohibited under any circumstances from killing deer on the island "at any time and any where," except when the permission was

given them, which was but seldom. The authorities were determined to have the monopoly of the venison trade. But fortunately this unjust law was repealed before the end of the year, and further complications with the Indians avoided. In 1641 the same town passed an order forbidding all persons from setting traps for deer except on his own land, and the order was so far modified the following year that any person might shoot deer at any time provided he gave half of what he shot for the use of the town.

In 1646 Portsmouth ordered that no person should kill deer for two months under the penalty of forfeiting the animal, one-half going to the informer and the other to the town's treasury. This order was passed for the purpose of making persons turn their attention to the destroying of the wolves which greatly infested the colony and produced great depredations. Large rewards were, in addition, offered from time to time for their destruction. This order, however, was modified the following year. The shooting of deer between May and the 1st of November was made illegal, and a fine of five pounds imposed on every offender.

Portsmouth, the previous year, had concurred with Newport in this matter. In the two other towns of Providence and Warwick, nothing can be found in this connection. It is not impossible that deer were occasionally found in these towns. The island of Rhode Island could easily be reached by the deer and, perhaps, was their chief resort, owing to its salubrity and other advantages.

But, suffice it to say, that these few municipal advances formed the basis of all subsequent legislation in this con-

nection on and after the union of the four original towns of the colony.

There is a great gap, however, between these few simple orders and subsequent legislative enactments. But in the last order passed by the town of Portsmouth, in 1646, we see clearly the germs of our game laws, the early appreciation and establishment of a close or closing time, which was in after years extended to the fisheries as well as the game of the state.

In 1705, then, we find the first public law for the preservation of game for the use of the colony, and not for the purpose of reaping a revenue therefrom.

For quite a number of years no revenue seems to have been derived from the sale of venison. The law under consideration was entitled: "An Act for the Preservation of Deer in this Colony." The preamble read as follows:

"Whereas many persons yearly kill and destroy deer at unseasonable times, when the skin and flesh are of little or no value, which may be of great prejudice to the Colony and hinder their increase; *Be it enacted, etc.*"

It is particularly refreshing to know the reason of the passage of certain laws or customs long since abandoned. By this act no person was permitted to kill a deer in any way whatever, between the first day of January and the first day of July annually, under the penalty of six pounds for every animal destroyed. We thus see that the "close-time" by this time is somewhat extended—the old law beginning at May and ending at the first of November. The possession of the "skin, meat or horns, green," was sufficient, under this law, to convict.

This act remained in force until 1757. It had, however, been re-enacted over in 1728 with a few new provisions, but no vital change was made. The "close-time" was still further lengthened; and the last time it appears in the statutes was in 1767. Possibly deer needed no further protection. They had been probably exterminated on the island where they once abounded. It is difficult to learn when the last deer was shot within the limits of the state.

Rabbits and hares first received legislative protection in 1857, and again in 1860; and afterwards squirrels. The "close-time" is between the first day of January and the first day of September. It will be seen that the "close-time" in these and all cases, covers the breeding season when these animals are unfit for food.

The first legislative recognition of game-birds was in 1787, local in character, and had reference to the wild pigeon which seems once to have abounded in Rhode Island. They chiefly resorted to the marshes in towns of Providence and North Providence, by which towns a special act was asked for their protection. The petition was heard in an act passed at the June session, to the effect that, as the shooting of said pigeons in the aforesaid marshes had rendered these birds very scarce, so that the poor of the town were unable to procure them, every person was forbidden to shoot at any pigeon within a mile of the marshes under the penalty of three pounds lawful money. In 1796, at the representations of certain citizens of the town of Providence, the law was repealed.

It was not until fifty years after this, that state legislation in this regard began. Thus far the General Assembly was easily influenced one way and another, enacted and re-

pealed to suit everybody. Very few of such laws can stand the test of time.

In 1846 the era of our game laws entered upon a new basis of life, which has vexed stronger rather than weaker. By a law enacted this year certain birds were not to be shot nor snared in certain months of the year; larks robins, woodducks, gray and black ducks, between February 1st and September 1st; partridges, quail, woodcock and snipe, between February 1 and October 1; grassplover between February 1 and August 1; grouse and heathens, between January 1 and November 1. Certain penalties were attached to the law for shooting these birds out of season or in closing-time.

In 1860, 1867 and 1868 more stringent measures were passed, especially for the protection of quail, woodcock and partridges, now becoming very scarce.

In 1871 the law was extended to the protection of certain birds which destroy insects injurious to vegetation. Other laws followed. Certain predatory birds were permitted to be destroyed. On the introduction of sparrows, which were once thought would destroy the caterpillars and other insects which worry upon our sheds, trees, and otherwise do considerable injury to the repletion, they were protected by law. But within a year or two, as these birds had done more injury than good since their introduction, the law was repealed, and they are now falling a prey to air guns and other means of destruction. Now the reason for the repeal of the law was, that they drove away our native birds.

The game laws have been modified from time to time in proportion to the correct understanding of the habits

of the birds, and the close-time made to cover the breeding season. There have been attempts made to increase the number of game birds by artificial means, but how far successful is not known. In the case of game fish, and other edible fishes, the commission of inland fishers have been more than successful.

With the increase of the population, with the spread of towns and cities, and the constantly growing number of sportsmen, the game birds must naturally retire or be destroyed until they must be sought at long distances to be obtained, and this in spite of the most stringent laws.

In the larger state the number of game, under proper protection, will remain for many years undiminished. Were the sea as limited in extent as the land, even the members of the fishes would, after a time, sensibly diminish.

Notes and Queries.

Elkanah Humphreys (Josiah), born in Barrington, R. I., 1738-9 died 1818—Who did he marry?

Josiah Abbott, of Newport, died 1711; married Bethiah Mott, who was born 1664, had a child Abigail, Portsmouth, R. I.—Who were *his* parents?

Benjamin Waterman, of Johnston, R. I., died 1762, married Sarah Knight (?)—Who were her parents?

Stephen Hawkins, of Providence, married 1706, Hannah Coggeshall; after his death she married, 1713, Jona. Sprague—Who were *her* parents?

Philip Wheeler, born 1698, Prov.; married Martha Salisbury—Who was she?

Tefft—Gardiner. Sarah Gardiner married Daniel Tefft; had daughter Lydia (born May 29, 1778 or 9); she married Joseph Adams (born Apr. 25, 1770, died Sept. 10, 1848); Lydia died Mar. 7, 1873; she had a brother Allen. Want information of Gardiners or Teffts previous to Sarah and Daniel.

Clarke. William Clarke, of Richmond, town clerk of Richmond in 1749; member of General Assembly 1786, born 1702, died Mar. 28, 1786, had son James, born Aug. 4, 1733. Who was James' mother?

Kenyon. Elizabeth Kenyon, of Richmond, born Mar. 5, 1735, in Charlestown, died Dec. 12, 1819. Who were her parents?

BANGOR, Me., Sept. 17, 1890.

JAMES N. ARNOLD, Esq.

Dear Sir—Can you add anything to what follows relating to my ancestor.

“Thomas Brastow (Bristow) at Bristol, R. I. Miss Elizabeth, died April 10, 1740—68. Children from Bristol town records, baptisms from church records.

I. Elizabeth born Dec. 14, 1706, baptized between April 24 and Nov. 24, 1723; she married Jeremiah Finney, Sept. 1, 1727.

II. Mary born Oct. 23, 1711; married ————— and died 1740.”

III. Thomas born Mar. 10, 1714—15. He settled in Wrentham, Mass., and was my ancestor.

In the brackets is all I have been able to find. What became of Thomas Brastow I know not. I think he was a mariner. Can you help me ? if so I shall be glad to reciprocate in kind. Yours truly, J. W. PORTER.

TITLE.

A compendious geographical dictionary, containing a concise description of the most remarkable places, ancient and modern, in Europe, Asia, Africa and America, interspersed with historical anecdotes. To which are added a chronological table from the creation to the present time ; a monthly list of all the fixed fairs in England and Wales ; and a table of the coins of the various nations and their values in English money. To the whole is prefixed an introduction, exhibiting a view of the Newtonian system of the planets, etc.

The second edition,
Embellished with maps,
London.

Printed for W. Peacock, No. 18, Salisbury Court, 1795.

Rhode Island, see Providence Plantation.

Providence, a plantation of North America, which, with Rhode Island, constitute one of the thirteen United States. It is in a flourishing condition, and is principally inhabited by Quakers.

1777.—General Howe takes possession of Philadelphia. Lieutenant-General Burgoyne is obliged to surrender his army, at Saratoga, in Canada, by convention to the American army under the command of the Generals Gates and Arnold, October 17.

VOLUME VIII. 1890.

— THE —

NARRAGANSETT

Historical Register

A MAGAZINE DEVOTED TO
THE ANTIQUITIES, GENEALOGY AND HISTORICAL
MATTER ILLUSTRATING THE HISTORY
OF THE

State of Rhode Island and Providence Plantations

A HISTORICAL MAGAZINE FOR THE PEOPLE

*A record of measures and of men,
For twelve full score years and ten.*

JAMES N. ARNOLD, EDITOR

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